

रजिस्टर नं ० पी०/एम० एम० १४



राजपत्र, हिमाचल प्रदेश

(ग्रसाधा रण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, ८ अगस्त, १९८१ / १७ शावण, १९०३

हिमाचल प्रदेश सरकार

PERSONNEL DEPARTMENT

(SECRETARIAT ADMINISTRATION SERVICES)

NOTIFICATION

Simla-2, the 24th July, 1981

No. Per (SA-I) B (8)-1/78.—The Governor, Himachal Pradesh, is pleased to order the change of nomenclature of the post of Librarian, Himachal Pradesh Secretariat carrying the scale of Rs. 300—600 (Rs. 700—1100 personal to the present incumbent) to Chief Librarian w.e.f. 1-1-1978 carrying the scale of Rs. 825—1580 (Rs. 1200—1700 as personal to the present incumbent).

2. This is in pursuance to H. P. Government, Finance (C) Department O. M. No. Fin. (C)-B (7)-9/79, dated 13th July, 1981.

Sd/-
Deputy Secretary.

INDUSTRIES DEPARTMENT

NOTIFICATION

Simla-2, the 30th July, 1981

No. Ind. VI (F) 10-2/78-IA-III.—Agreement made between the H. P. Govt. and M/s Associated Cement Company Ltd., a company registered under Indian Companies Act, 1882, for the acquisition of 7 Bighas land situated in village of Panjgain, District Bilaspur, Himachal Pradesh through Industries Department for the purpose of construction of residential buildings, mining of Limestone and Construction of Crusher for Gagal Cement Project, is hereby published in the Extraordinary Gazette for the information of General Public under section 39 of the Land Acquisition Act, 1894.

By order,
ANANG PAL,
Secretary.

Memorandum of Agreement made this 10th day of July, 1981 between the Associated Cement Cos. Ltd., a Company registered under the Indian Companies Act, 1882 and having its registered office at 121 Maharshi Karve Road in Bombay, Maharashtra (here-in-after called 'the Company') of the one part, the Governor of the State of Himachal Pradesh (hereafter called "the Governor") of the other part.

Whereas for the purpose of Mining of Limestone in Mining area required for manufacture of Cement and construction of crusher and other service buildings and haulage road between the Cement Factory and the mining lease area the Company has applied to the Government of Himachal Pradesh for acquisition under the provisions of the Land Acquisition Act, 1894 of the piece or parcel of land containing 7 Bighas nil Biswas thereabout situated in the village of Panjgain in the District of Bilaspur and more particularly described in the schedule hereto annexed.

And whereas the said Government of Himachal Pradesh, being satisfied by an enquiry held under section 40 of the said Act the proposed acquisition is needed for the aforesaid purpose and that the said work is likely to prove useful to the public, has consented to acquire on behalf of the Company the piece of parcel of land hereinbefore described.

And whereas the said Government of Himachal Pradesh has required the Company under the provisions of section 41 of the above mentioned Act to enter into the agreement with the Governor hereinafter contained. Now this indenture witnesseth that it is hereby agreed and declared as follows:—

- (1) On demand the Company shall and will pay to the said Government of Himachal Pradesh all and every compensation in respect of the said land tendered, paid or awarded or to be tendered, paid or awarded by the Collector under the Land Acquisition Act, 1894 or by Court to which a reference unde Part III of the said Act may be made or by the Court or Courts to which an appeal from the award of the said Court may be preferred and all costs, charges and expenses of the proceedings in the aforesaid Courts or otherwise incidental to the proposed acquisition or payable in respect thereof under the provisions of the said Act.
- (2) On demand made by the said Collector the obligations of the Company under the last preceding clause not being thereby limited the Company shall and will deposit

with the said Collector such sum or sums of money as in his discretion the said Collector may in anticipation estimate to be necessary for the purposes mentioned in the last preceding clause.

- (3) On payment by the Company of all demands under the foregoing first clause, or, in the discretion of the said Government of Himachal Pradesh on deposit by the Company of all estimated amounts as provided in the second clause, but not before possession shall have been taken under the provisions of the above-mentioned Act, the Governor shall make over possession of the said land to the Company and shall execute and do all such acts and deeds as may be necessary and proper for effectively vesting the same in the Company.
- (4) The said land shall be held by the Company for the purpose of construction of residential buildings and mining of limestone for manufacture of Cement and construction of crusher, service buildings and haulage road and for purposes connected with the mine as is hereinbefore mentioned and without the sanction in writing of the said Government of Himachal Pradesh first had and obtained for no other purpose whatsoever.
- (5) The said construction work in the mining area shall be completed within 3 years from the date on which possession of the land shall have been given to the Company.
- (6) Should the said construction not be completed within the period stated in the last preceding clause or within such further period as in its discretion may be prescribed or allowed by the said Government of Himachal Pradesh or should the said land at any time thereafter cease for the period of six consecutive months to be held and used or cease to be required for the purpose or purposes provided for in the foregoing fourth clause then and in any such case the said Government may summarily re-enter upon and take possession of the said land together with all buildings thereon, whether such buildings were erected before or after transfer of the land to the Company, and thereupon the interest of the Company in the said land and buildings shall absolutely cease and determine.
- (7) On taking such possession the said Government may sell or otherwise deal with the said land and buildings as it may think proper.
 - (i) Should the said Government sell the land with the buildings the said Government after deducting the expenses incurred in connection with the said taking of possession and with such sale shall pay the proceeds to the Company.
 - (ii) Should the said Government decide not to sell the land and buildings the said Government shall retain the said land and buildings thereon in which case the Governor shall repay to the Company the market value as on the day of re-entry of all the buildings erected by the Company and all sums received from the Company in respect of all and every compensation as provided in the foregoing first clause (less the statutory allowance of 15 per cent and less any amount received on account of trees and building which are not in existence at the time of resumption), but will not repay any sums paid and received on account of costs, charges, expenses.
 - (iii) Should the said Government decide to sell the building only, upon such sale, the Governor shall, after deducting the expenses of taking possession and selling, pay the balance of the proceeds of sale to the Company together with the sum received from the Company in respect of compensation for the land (less the statutory allowance of 15 per cent and less any amount received from the Company on account of trees and buildings which are not in existence at the time of resumption), but will not repay any sum paid and received on account of costs, charges and expenses.

(8) The right of the public to visit the existing places of worship in the above area will be ensured as hitherto subject to the following conditions:—

- (a) The public will confine to the use of only the normal paths to the places of worship existing hitherto subject to restrictions that will have to be strictly followed by them for their own safety during the blasting operations in the mines.
- (b) While on their way to and from the places of worship the public will refrain from intruding into the working areas within the mining lease and tempering with and/or damaging Company's properties within the area.
- (c) No additional structures will be constructed in the vicinity of the existing places of worship.
- (d) The existing water supply arrangements including the pipe lines passing through the mining area will be allowed to be retained as they are and will not be disturbed.

(9) Should any dispute or difference arise touching or concerning the subject-matter of this Agreement or any covenant clause or thing herein contained, the same shall be referred to the said Government of Himachal Pradesh and opinion and the decision of the said Government upon such dispute or difference shall be final and conclusive and binding on the parties hereto.

(10) In witness whereof the duly constituted attorney of the Company and the Governor of the State of Himachal Pradesh have hereunto set their respective hand and seals the day and year first above written.

Signed, sealed and delivered by:

NAIR RAMAN UNNI,
*General Manager,
Gagal Cement Project.*

ATTORNEY

for the Company in the presence of:

Witness:

SIGNATURE

Sd/-
*Deputy General Manager,
Gagal Cement Project.*

हस्ताक्षरित/-
उप-सचिव (उद्योग),
हिमाचल प्रदेश सरकार।

Signed, sealed and delivered by:

On behalf of the Governor of the State of Himachal Pradesh in the presence of:

Witness:

T. D. GUPTA,
*Supdt. Industries Branch,
H.P. Secretariat.*

District: BILASPUR

SCHEDULE OF LAND

Tehsil: SADAR

Village	Khasra No.	Area Big. Bis.
PANJGAIN	26/34/1	7 0
TOTAL		.. 7 0

Sd/-
*General Manager,
Gagal Cement Project.*

REVENUE DEPARTMENT

NOTIFICATION

Simla-171002, the 25th July, 1981

No. Rev.1-6/(Stamp)1/81.—In exercise of the powers conferred upon him by sections 78 and 79 of the Indian Registration Act, 1908 (Act XVI of 1908) and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to make the following amendment in the table of Registration Fees, published in the Rajpatra, Himachal Pradesh, dated 6th June, 1970 *vide* Revenue Department notification No. 17-13/66-Rev-1, dated 14-4-1969, as amended from time to time.

In the table of Registration Fees after proviso 12 to Article I, the following proviso shall be added, namely:—

“Provided further that no registration fee shall be chargeable on the instruments executed by or in favour of the persons who are given legal aid under the Himachal Pradesh State Legal Aid to the Poor Rules, 1980.”

By order,
P. P. SRIVASTAVA,
Secretary.

TRANSPORT DEPARTMENT

NOTIFICATION

Simla-2, the 29th July, 1981

No. 1-1/79 (Parivahan).—In supersession of this Department notification of even number, dated the 10th December, 1979 and in exercise of the powers conferred by section 44 of the Motor Vehicles Act, 1939 (IV of 1939) and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to constitute with immediate effect Regional Transport Authority, Dharamsala for Una, Chamba, Kangra, Hamirpur, Mandi, Kulu and Lahaul and Spiti districts and Regional Transport Authority, Simla for Simla Sirmur, Solan, Kinnaur and Bilaspur districts, consisting of the following members to exercise and discharge throughout the respective districts of Himachal Pradesh the powers and functions conferred on such authority by or under the said Act.

I. *Regional Transport Authority, Dharamsala:**Official Members*

(i) Divisional Commissioner, North Himachal Pradesh	..	Chairman
(ii) Regional Transport Officer, Dharamsala	..	Member

Non-Official Members

(iii) Shri Sant Ram Thakur, Village & P.O. Sarkaghat, District Mandi, H.P.	..	Member
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Regional Transport Officer, Dharamsala will also act as Secretary, Regional Transport Authority, Dharamsala.

II. *Regional Transport Authority, Simla:**Official Members*

(i) Divisional Commissioner, South, Himachal Pradesh	..	Chairman
(ii) Regional Transport Officer, Simla	..	Member

Non-Official Members

(iii) Shri Vinay Singh Negi, Pradhan, Village and Post Office Sapni,
District Kinnaur, H.P. .. Member

Regional Transport Officer, Simla will also act as Secretary of the Regional Transport Authority, Simla.

Non-Official Members

The non-official members of these authorities will be allowed to draw travelling allowance and daily allowance as follows:

(i) *Journey by Road.*—He will be entitled to actual fare for travelling by taking a single seat in a public bus and if the journey is performed by motor cycle/scooters, mileage allowance at 40 paise per km. for plain areas and 53 paise per km. for hilly areas and if the journey is performed by own car/taxi the member will be entitled to mileage allowance at Rs. 1.30 per km. for journeys in the plains and Rs. 1.65 per km. for hilly areas (which rates are inclusive of the elements of 33-1/3 increase of or journeys within Himachal Pradesh).

(ii) In addition to the actual fare or mileage as per item (i) and (ii) above, a member shall draw daily allowance for the entire absence from this permanent place of residence starting with arrival at that place at the same rate and subject to the same terms and conditions as apply to grade I officers of the State Government.

(B) Daily allowance:

(i) Non-Official members will be entitled to draw daily allowance for each day of the meeting at the highest rate as admissible to a Government servant of the first grade for respective locality;

(ii) In addition to daily allowance for the day(s) of the meeting a member shall also be entitled to daily allowance for halt on tour at out-station in connection with the affairs of the authority as under:—

(a) If the absence from headquarters does not exceed 6 hours ..	Nil.
(b) If the absence from headquarters exceeds 6 hours but does not exceed 12 hours ..	70%
(c) If the absence from headquarters exceeds 12 hours ..	Full.

(C) Conveyance allowance:

(i) A member resident at a place where the meeting of the authority is held will not be entitled to travelling and daily allowances on the scales indicated above, but will be allowed only the actual cost of conveyance hire, subject to a maximum of Rs. 10.00 per day. Before the claim is actually paid the Controlling Officer should verify the claims and satisfy himself after obtaining such details as may be considered necessary, that the actual expenditure was not less than the amount claimed.

(ii) If such a member used his own car, he will be granted mileage allowance at the rates admissible to officials of the 1st grade subject to a maximum of Rs. 10.00 per day.

3. The travelling and daily allowance will be admissible to a member on production of a certificate by him to the effect that he has not drawn any travelling or daily allowance for the same journey and halts from any other Government source.

4. The member will be eligible for travelling allowance for the journeys actually performed in connection with the meetings of the Authority from and to the place of their permanent

residence to be named in advance. If the member performs a journey from a place other than the place of his permanent residence to attend a meeting or return to a place other than the place of his permanent residence after the termination of the meeting, travelling allowance shall be worked out on the basis of the distance actually travelled or the distance between the place of permanent residence and the venue of the meeting, whichever is less.

5. The official members of the Authority will be entitled to T.A./D.A. admissible to them according to the rules applicable to them for attending the meetings from the respective departments.

6. Commissioner Transport will be the Controlling Officer in regard to the countersigning of the T.A. bills of the non-official members and T.A. bills of these members will also be prepared in the office of the respective Regional Transport Officer. The expenditure will be debitible to Major Head 241—Taxes on Vehicles (a) Direction and Administration a (i) Headquarters and Field Staff—Travel expenses (Non-Plan).

KANWAR SHAMSHER SINGH,
Secretary.

नियन्त्रक, मुद्रण तथा लेखन सामग्री, हिमाचल प्रदेश, शिमला-5 द्वारा मुद्रित तथा प्रकाशित ।